

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF IOWA

EQUAL EMPLOYMENT	)	
OPPORTUNITY COMMISSION,	)	
	)	
Plaintiff,	)	
	)	
-vs-	)	No. 5:19-cv-4063
	)	
SCHUSTER CO,	)	
	)	
Defendant.	)	

The videoconference deposition of  
STEVE SCHUSTER, called by the Plaintiff for  
examination, taken pursuant to the Federal  
Rules of Civil Procedure of the United States  
District Courts pertaining to the taking of  
depositions before MAUREEN A. WOODMAN, a notary  
public within and for the County of Cook and  
State of Illinois, on the 19th day of June,  
2020, at the hour of 9:00 o'clock a.m.

1       PRESENT:

2           EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

3       BY:   MR. MILES SHULTZ

          MS. ELIZABETH BANSZAK

          (Via videoconference)

4           230 South Dearborn Street

          Suite 2920

5           Chicago, Illinois   60604

          312.872.9718

6           Miles.shultz@eeoc.gov

          Belzabeth.banszak@eeoc.gov,

7                       on behalf of the Plaintiff;

8           KLASS LAW FIRM, LLP.

9       BY:   MR. DOUGLAS PHILLIPS

          (Via videoconference)

10          4280 Sergeant Road

          Suite 290

11          Sioux City, Iowa   51106

          712.252.1866

12          Phillips@klasslaw.com,

13                      on behalf of the Defendant.

14       ALSO PRESENT:

15          Mr. Jeff Arens

I N D E X

WITNESS	PAGE
STEVE SCHUSTER	
Examination by Mr. Shultz.....	5-110

- - - - -

E X H I B I T S

DEPOSITION EXHIBIT	PAGE
Exhibit 1 Organization Chart.....	19
Exhibit 2 Interrogatory Responses.....	52
Exhibit 3 Employee Handbook.....	60
Exhibit 4 Photo.....	75
Exhibit 5 Hiring Criteria.....	78
Exhibit 6 Truck Driving Job Description.	92
(NOT ATTACHED)	

1 THE COURT REPORTER: All parties are aware  
2 that the witness will be sworn remotely.  
3 Remote depositions are more challenging. We  
4 kindly ask all participants to speak clearly  
5 and one at a time.

6 Here begins the videoconference  
7 deposition of Steve Schuster in the matter of  
8 EEOC Versus Schuster. Today's date is June 19,  
9 2020, and the time is 9:03 a.m.

10 My name is Maureen Woodman of  
11 Thompson Court Reporters. Beginning with the  
12 noticing party, will counsel please introduce  
13 themselves, state whom they represent and  
14 stipulate to the swearing in of the witness  
15 remotely.

16 MR. SHULTZ: Miles Schultz for the EEOC.

17 MS. BANASZAK: Elizabeth Banaszak also for  
18 the EEOC.

19 MR. PHILLIPS: Doug Phillips for defendant  
20 Schuster Company.

21 THE WITNESS: Steve Schuster, Schuster  
22 Company.

23 MR. ARENS: Jeff Arens, corporate rep for  
24 the Schuster Company.

1 THE COURT REPORTER: And I need everyone to  
2 agree to the swearing in remotely.

3 MR. SHULTZ: Agree.

4 MR. PHILLIPS: Agree.

5 (Witness was duly  
6 sworn.)

7 STEVE SCHUSTER,  
8 called as a witness herein, after having been  
9 first duly sworn, was examined and testified as  
10 follows:

11 EXAMINATION

12 BY MR. SHULTZ:

13 Q. Good morning, Mr. Schuster. Can you  
14 hear me okay?

15 A. I can.

16 Q. Great. And I can hear you. Thank  
17 you.

18 Trying to figure out with this  
19 headset. I just explained this is my first  
20 remote dep. So hopefully it goes semi  
21 smoothly. I apologize for this really  
22 sophisticated sheet I have hanging in my  
23 basement so you don't have to look at all my  
24 pipes in my spare bedroom down here. If you

1 they could do that.

2 What steps during the orientation  
3 can Schuster decide not to hire somebody?

4 A. If they're -- you know, don't pass the  
5 driving test, not comfortable with their  
6 driving skills, they're inattentive in class.  
7 All of a sudden their drug test goes for  
8 further testing and shows up positive. There's  
9 a process that they have to go through all the  
10 process.

11 Q. And obviously if they fail the CRT  
12 test, then they don't get hired?

13 A. Correct.

14 Q. I noticed in one of the documents that  
15 if an applicant doesn't hit the cut score of  
16 151 but is within 20 minutes of that, they can  
17 actually take that test again; is that right?

18 A. Correct.

19 Q. And has that always been the case  
20 since 2014 when Schuster started using the  
21 test?

22 A. No. I don't know the exact time that  
23 we changed that.

24 Q. Do you know why it was changed?